

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Uniformed Fire Officers Association; Uniformed Firefighters Association of Greater New York; Correction Officers' Benevolent Association of the City of New York; Police Benevolent Association of the City of New York, Inc.; Sergeants' Benevolent Association; Lieutenants' Benevolent Association; Captains' Endowment Association; and Detectives' Endowment Association,

Plaintiffs,

v.

Bill de Blasio, in his official capacity as Mayor of the City of New York; the City of New York; Fire Department of the City of New York; Daniel A. Nigro, in his official capacity as the Commissioner of the Fire Department of the City of New York; New York City Department of Correction; Cynthia Brann, in her official capacity as the Commissioner of the New York City Department of Correction; Dermot F. Shea, in his official capacity as the Commissioner of the New York City Police Department; the New York City Police Department; Frederick Davie, in his official capacity as the Chair of the Civilian Complaint Review Board; and the Civilian Complaint Review Board,

Defendants.

No. 1:20-CV-05441 (KPF) (RWL)

**DECLARATION OF ANTHONY P. COLES IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Anthony P. Coles, Esq., hereby declares, pursuant to 28 U.S.C. § 1746, the foregoing to be true and correct:

1. I am a partner with DLA Piper LLP (US), attorneys for the above-named Plaintiffs.

I make this declaration in support of Plaintiffs' motion for a preliminary injunction.

2. A true and correct copy of the Declaration of Heidi Grossman produced by Defendants in this action, dated August 5, 2020, is attached hereto as **Exhibit 1**.

3. A true and correct copy of the first Declaration of Kerry Jamieson produced by Defendants in this action, dated August 5, 2020 (the “First Jamieson Decl.”), is attached hereto as **Exhibit 2**.

4. A true and correct copy of the Declaration of Robert Barrows produced by Defendants in this action, dated August 3, 2020, is attached hereto as **Exhibit 3**.

5. A true and correct copy of excerpts of the transcript of the August 6, 2020 deposition of New York City Police Department (“NYPD”) 30(b)(6) witness, Lesa Moore, taken in this action is attached hereto as **Exhibit 4**.

6. A true and correct copy of the Declaration of Terryl L. Brown produced by Defendants in this action, dated August 7, 2020, is attached hereto as **Exhibit 5**.

7. A true and correct copy of the expert report of Dr. Jon Shane, dated August 14, 2020, is attached hereto as **Exhibit 6**.

8. A true and correct copy the Position Statement of the Municipal Labor Committee Opposing the Release of Unsubstantiated Disciplinary Files and Personnel Records of Uniformed City Workers, dated August 14, 2020, is attached hereto as **Exhibit 7**.

9. A true and correct copy of a letter from Patrick J. Lynch, president of the Police Benevolent Association, to Fred Davie, Chair of the Civilian Complaint Review Board (“CCRB”), dated July 8, 2020, is attached hereto as **Exhibit 8**.

10. A true and correct copy of a letter from Patrick J. Lynch to Dermot Shea, Commissioner of the NYPD, dated June 29, 2020, is attached hereto as **Exhibit 9**.

11. A true and correct copy of excerpts of the transcript of the August 6, 2020 deposition of CCRB 30(b)(6) witness, Kerry Jamieson, taken in this action is attached hereto as **Exhibit 10**.

12. A true and correct copy of excerpts of the transcript of the August 7, 2020 deposition of the Department of Correction (“DOC”) 30(b)(6) witness, Laura Mello, taken in this action is attached hereto as **Exhibit 11**.

13. A true and correct copy of excerpts of the transcript of the August 7, 2020 deposition of Fire Department of the City of New York (“FDNY”) 30(b)(6) witness, Sheryl Montour, taken in this action is attached hereto as **Exhibit 12**.

14. A true and correct copy of the second Declaration of Kerry Jamieson, dated August 5, 2020 (the “Second Jamieson Decl.”), is attached hereto as **Exhibit 13**.

15. A true and correct copy of a press release issued by the U.S. Department of Justice entitled “Brooklyn Man Arrested for Using a Weapon of Mass Destruction - Defendant Killed a Man in Queens with a Destructive Device in Plot to Target NYPD Officers,” dated February 28, 2018, is attached hereto as **Exhibit 14**.

16. A true and correct copy of the Request for Arbitration filed by the Police Benevolent Association of the City of New York, Inc. with the New York City Office of Collective Bargaining on August 4, 2020 is attached hereto as **Exhibit 15**.

17. A true and correct copy of the Request for Arbitration filed by the Sergeants’ Benevolent Association with the New York City Office of Collective Bargaining on July 28, 2020, is attached hereto as **Exhibit 16**.

18. A true and correct copy of the Request for Arbitration filed by the Lieutenants’ Benevolent Association with the New York City Office of Collective Bargaining on August 3, 2020, is attached hereto as **Exhibit 17**.

19. A true and correct copy of the Request for Arbitration filed by the Captains' Endowment Association with the New York City Office of Collective Bargaining on August 3, 2020, is attached hereto as **Exhibit 18**.

Executed: August 14, 2020

A handwritten signature in cursive script that reads "Tony Coles". The signature is written in dark ink and is positioned above a horizontal line.

ANTHONY P. COLES